

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4 AARON GUERRERO,

5 Plaintiff,

6 v.

7 GABRIEL GRASSO, *et al.*,

8 Defendants.
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Case No. 2:24-cv-00261-MMD-BNW

ORDER

10 Before the Court is Plaintiff's Objection to the Court's May 21, 2024 Report and
11 Recommendation. ECF No. 5. The Court recommended that the case be dismissed because
12 Plaintiff failed to complete his *in forma pauperis* ("IFP") application or pay the filing fee by the
13 May 1, 2024 deadline. ECF No. 4. The Court interprets Plaintiff's Objection as a motion for
14 reconsideration.

15 Plaintiff represents that he filed a Motion to Extend Time to complete his IFP application
16 on April 29, 2024 through the High Desert State Prison Law Library and that he was unaware that
17 it was never actually filed on the docket. ECF No. 5. He also states that he has been waiting for
18 the Nevada Department of Corrections to provide him with the financial documents necessary to
19 complete his application. *Id.* Plaintiff indicates that he "has every intention" of complying with
20 the Court's orders and moving forward with his case, but that he has been unable to do so without
21 the necessary documents. *Id.*

22 Based on Plaintiff's representations, it is clear to the Court that he did not intend to
23 abandon his case, as the Court originally believed when it issued its Report and Recommendation.
24 *See* ECF No. 4. Given Plaintiff's intent to proceed, the Court will vacate its Report and
25 Recommendation and give Plaintiff an additional 30 days to complete his IFP application.
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IT IS FURTHER ORDERED that the Clerk of Court is to send Plaintiff the approved form application to proceed IFP by a prisoner, as well as the accompanying information form and instructions for filing the application.


BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE